

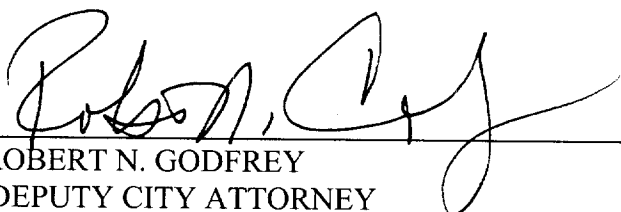
Entered - 02-15-02- sb  
CL - 02L0051 ALEXIS HOLMES

CLAIM OF: **MEL OWENS**  
276 Decatur Street  
Atlanta, Georgia 30312

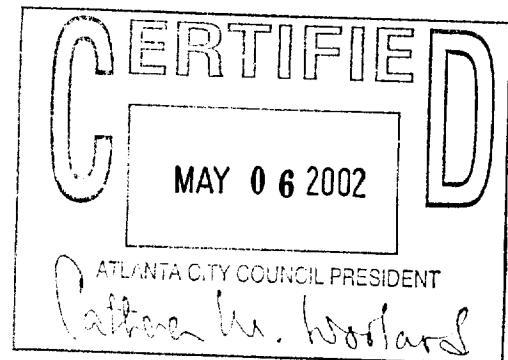
**02- R -0643**

For damages alleged to have been sustained as a result of the City  
selling his personal property on December 15, 2001 at 640 North  
Avenue.

THIS ADVERSE REPORT IS APPROVED

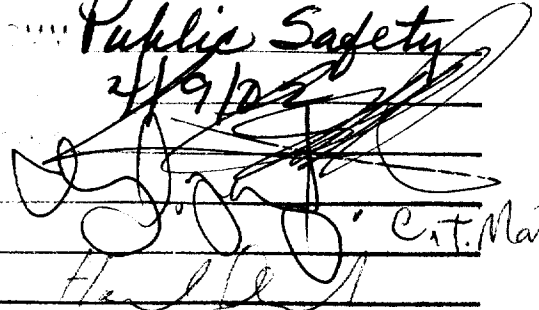
BY:   
ROBERT N. GODFREY  
DEPUTY CITY ATTORNEY

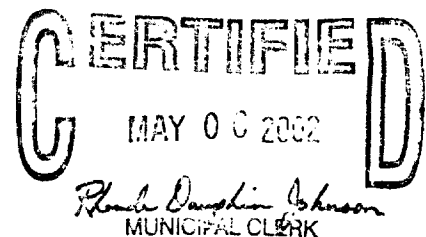
ADVISED BY  
CITY COUNCIL MAY 06

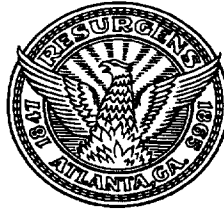


CONSENT AGENDA

**ADVERSE REPORT**

*Public Safety*  
*4/9/02*  
  
C. T. Martin  
H. L. H. H.





**CITY OF ATLANTA  
OFFICE OF MUNICIPAL CLERK**

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

FORIS WEBB, III  
DEPUTY MUNICIPAL CLERK

Mel Owens  
276 Decatur Street  
Atlanta, GA 30312

May 21, 2002

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

**02-R-0643**

Dear Mr. Owens:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on May 6, 2002. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

**cc: Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0051

Date: 03/25/02

Claimant /Victim MEL OWENS

By: (Atty) (Ins. Co.)

Address: 276 Decatur Street Atlanta, Georgia 30312

Subrogation: Claim for Property damage \$ Unspecified Bodily Injury \$

Date of Notice: 12/18/01 Method: Written, Proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 12/15/01 Place: 640 North Avenue

Department Police Division: Property Unit

Employee involved Disciplinary Action:

**NATURE OF CLAIM:** The claimant alleges that he sustained property losses when the City sold his property without proper notification. However, an investigation determined that the claimant was properly notified, and that the claimant's property was lawfully disposed of pursuant to O.C.G.A. § 17-5-54.

**INVESTIGATION:**

Statements: City employee Claimant X Others X Written X Oral X

Pictures Diagrams Reports: Police X Dept Report X Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

**BASIS OF RECOMMENDATION:**

Function: Governmental X Ministerial

Improper Notice More than Six Months Other X Damages reasonable

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

*Alexis Holmes*

INVESTIGATOR - ALEXIS HOLMES

**RECOMMENDATION:**

Pay \$ Adverse X Account charged: 1A01 2J01 2H01

Claims Manager: Concur/date 03-26-02

Committee Action: Council Action

RCS# 3723  
5/06/02  
4:03 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-14: Except 02-R-0507: 02-O-0668  
02-R-0701; 02-O-0594; 02-O-0675; 0584  
ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 1

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Boazman	NV Woolard

ITEM (S) REMOVED FROM  
CONSENT AGENDA

02-R-0701  
02-O-0584  
02-O-0594  
02-O-0675  
02-O-0668

		05/06/02 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 02-O-0666	34. 02-R-0613	47. 02-R-0625
2. 02-O-0678	35. 02-R-0614	48. 02-R-0626
3. 02-O-0681	36. 02-R-0615	49. 02-R-0627
4. 02-O-0684	37. 02-R-0616	50. 02-R-0628
5. 02-O-0487	38. 02-R-0617	51. 02-R-0629
6. 02-O-0491	39. 02-R-0618	52. 02-R-0630
7. 02-O-0686	40. 02-R-0619	53. 02-R-0631
8. 02-O-0687	41. 02-R-0620	54. 02-R-0632
9. 02-O-0688	42. 02-R-0621	55. 02-R-0633
10. 02-O-0086	43. 02-R-0622	56. 02-R-0634
11. 02-O-0672	44. 02-R-0623	57. 02-R-0635
12. 02-O-0689	45. 02-R-0624	58. 02-R-0636
13. 02-O-0563	46. 02-R-0700	59. 02-R-0637
14. 02-O-0673		60. 02-R-0638
15. 02-O-0674		61. 02-R-0639
16. 02-R-0512		62. 02-R-0640
17. 02-R-0680		63. 02-R-0641
18. 02-R-0598		64. 02-R-0642
19. 02-R-0697		65. 02-R-0643
20. 02-R-0600		66. 02-R-0644
21. 02-R-0658		67. 02-R-0645
22. 02-R-0702		68. 02-R-0646
23. 02-R-0480		69. 02-R-0647
24. 02-R-0507		70. 02-R-0648
25. 02-R-0501		71. 02-R-0649
26. 02-R-0604		72. 02-R-0650
27. 02-R-0704		73. 02-R-0651
28. 02-R-0607		74. 02-R-0652
29. 02-R-0608		75. 02-R-0653
30. 02-R-0609		76. 02-R-0654
31. 02-R-0610		77. 02-R-0655
32. 02-R-0611		78. 02-R-0656
33. 02-R-0612		79. 02-R-0657